

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 2:14-cv-00007-MR-DLH

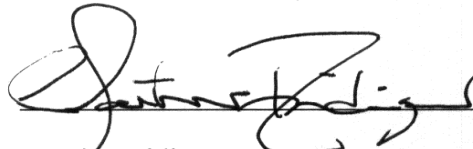
DIAMOND FALLS ESTATES, LLC,)
SHIRLEY M. BUAFO and CHARLES)
K. BUAFO,)
)
Plaintiffs/)
Counter-Defendants,)
)
vs.)
)
NANTAHALA BANK & TRUST)
COMPANY, STEVE E. GRAVETT,)
EXCELL PARTNERS, LLC, LUXUR,)
INC., REALTY ACQUISITIONS, LLC,)
and JOHN/JANE DOES,)
)
Defendants/)
Counter-Plaintiffs.)
)

J U D G M E N T

For the reasons stated in the Memorandum of Decision and Order filed contemporaneously herewith, **IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED** that the Plaintiffs' Motion for Partial Summary Judgment is **DENIED**, and Defendant Nantahala Bank & Trust Company's Motions for Summary Judgment on Nantahala's Counterclaims and the Plaintiffs' Third Amended Complaint are **GRANTED**. Judgment is hereby

entered against the Plaintiffs Diamond Falls Estates, LLC, Shirley M. Buafo, and Charles K. Buafo and in favor of the Defendant Nantahala Bank & Trust Company in the amount of \$2,725,989.42 through and including March 27, 2015, with interest continuing to accrue at a rate of \$366.53 per day beginning on March 28, 2015, and interest accruing at the legal rate after entry of the judgment, plus attorney fees in an amount to be determined but in any event a not to exceed five percent (5%) of the outstanding loan amount at the time the Original Answer and Counterclaims were filed on March 7, 2014. The Plaintiffs' claims against the Defendant Nantahala Bank & Trust Company are hereby **DISMISSED WITH PREJUDICE**.

Signed: September 7, 2015


Martin Reidinger
United States District Judge

